

1 ANTHONY P. CAPOZZI, CSBN 068525  
2 **LAW OFFICES OF ANTHONY P. CAPOZZI**  
3 1233 W. Shaw Avenue, Suite 102  
4 Fresno, CA 93711  
Telephone: (559) 221-0200  
Fax: (559) 221-7997  
E-mail: capozzilaw@aol.com

5 Attorney for Defendant,  
FREDRICH HERIBERT BELIJUNAS

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE

\* \* \* \*

12 UNITED STATES OF AMERICA,  
13 Plaintiff,  
14 vs.  
15 FREDRICH HERIBERT BELIUNAS,  
16 Defendant.

Case No.: CR-F-06-00360 JW  
**STIPULATION AND PROPOSED ORDER  
TO CONTINUE SENTENCING DATE**  
**SAN JOSE VENUE**

18        The undersigned parties respectfully request that the Sentencing hearing in the above-  
19        captioned case currently scheduled for May 7, 2007 be continued to June 25, 2007. Due to  
20        newly discovered information regarding Mr. Beliunas' citizenship, Mr. Capozzi needs  
21        additional time to prepare for sentencing. Probation Officer Joshua Sparks does not object to  
22        the new date.

Respectfully Submitted:

24 | DATED: April 23, 2007

/s/ Anthony P. Capozzi  
**ANTHONY P. CAPOZZI,**  
Attorney for Defendant

26 | DATED: April 23, 2007

/s/ Susan Knight  
**SUSAN KNIGHT,**  
Assistant United States Attorney

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### **Stipulation to Continue**

## **ORDER**

Accordingly, for good cause shown, the Court HEREBY ORDERS that the Sentencing hearing be continued from May 7, 2007 to June 25, 2007.

## **IT IS SO ORDERED:**

DATED: April 24, 2007

HONORABLE JAMES WARE  
U.S. DISTRICT COURT JUDGE

  
HONORABLE JAMES WARE  
S. DISTRICT COURT JUDGE

**ONORABLE JAMES WARE  
S. DISTRICT COURT JUDGE**